

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

BRYAN SHAMAR LITTLE, :
: :
Movant, : Civil Action
: No. 3:17-cr-15-CAR-CHW
v. : :
: :
UNITED STATES OF AMERICA, :
: :
Respondent. : :

ORDER ON RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Currently before the Court is the Report and Recommendation of the United States Magistrate Judge to construe Movant Bryan Shamar Little's Motion for Reconsideration as a Motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 and to dismiss it as a second or successive § 2255 motion filed without authorization by the Eleventh Circuit. Plaintiff has not filed an objection and the time in which to do so has expired.

The Magistrate Judge's Recommendation [Doc. 74] is **HEREBY ADOPTED AND MADE THE ORDER OF THE COURT**. Movant's Section 2255 Motion [Doc. 73] is **DISMISSED** for lack of jurisdiction as a successive motion. In order for this Court to have jurisdiction to consider a successive petition, Petitioner must move the Eleventh Circuit Court of Appeals for an order authorizing this Court to entertain his successive

petition.¹ Additionally, because Petitioner has failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability is **DENIED**.

SO ORDERED, this 26th day of October, 2022.

s/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT

¹ *Williams v. Chatman*, 510 F.3d 1290, 1293 (11th Cir. 2007).